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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

REPORT OF THE WORKING GROUP

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INTRODUCTION

1. At its 1413th meeting, on 5 March 1993, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples decided to establish an open-ended Working Group with the same composition and mandate as those of the Working Group of 1992.

2. Like the 1992 Working Group, the new Working Group has the responsibility of reviewing the work of the Special Committee and making recommendations on how to improve further the efficiency of the Committee's work in the light of recent developments, of its own experiences on the basis of work carried out during 1991 and 1992, and on the suggestions made in the Fourth Committee and the plenary of the General Assembly at its forty-seventh session. In this connection, the Working Group heard differing opinions from participants regarding the need to achieve ways and means to enhance the efficiency and effectiveness of the Committee and to promote cooperation by the administering Powers. All participants concurred with the view that the interests of the peoples of Non-Self-Governing Territories should and would be first and foremost in the activities of the Special Committee, as well as the implementation of the Plan of Action for the International Decade for the Eradication of Colonialism 1/ and its objectives.

I. COMPOSITION AND MANDATE OF THE WORKING GROUP

3. The Working Group was composed of all members of the Special Committee and was open to any State Member of the United Nations. Administering Powers, in particular, as well as representatives of Non-Self-Governing Territories were encouraged to participate.

4. The mandate of the Working Group was to review the following issues:

(a) Revitalization of the Special Committee in conformity with the objectives set forth by the General Assembly in the Plan of Action for the International Decade for the Eradication of Colonialism;

(b) Streamlining and consolidation of resolutions and other documents issued by the Special Committee, as well as their language;

(c) Review of the method of work of the Committee, its agenda and list of Territories;

(d) Cooperation of the administering Powers, bearing in mind the statement by the Secretary-General at the organizational meeting of the Committee on 10 February 1993 (A/AC.109/PV.1412), and, in this connection:

(i) How best to secure their full participation in the work of the Committee;

(ii) How to restore the practice of regular visiting missions to which the Committee attaches the highest importance as a means of obtaining

first-hand information on the situation in the Non-Self-Governing Territories and other Territories within the purview of the mandate of the Committee;

(iii) How to ensure that the administering Powers provide the Committee with regular, timely and up-to-date information on the Territories under their administration, in accordance with Article 73 e of the Charter of the United Nations;

(iv) The related issue of how to obtain greater participation of representatives of the Non-Self-Governing Territories and other Territories within the purview of the mandate of the Committee in the work of the Committee.

II. PROGRAMME OF WORK

5. The Working Group held a total of seven meetings between 11 March and 26 May 1993. Representatives of some administering Powers participated in the deliberations of the Working Group.

III. CONCLUSIONS AND RECOMMENDATIONS

A. Revitalization of the Special Committee in conformity with the objectives set forth by the General Assembly in the Plan of Action for the International Decade for the Eradication of Colonialism

6. The Working Group has examined in earnest the issue of revitalizing the activities of the Special Committee and considers that the regional seminars in the Caribbean and the Pacific have been and would continue to be a means to this end. The Working Group expresses its appreciation to the Government of Papua New Guinea for its invitation to hold the 1993 Pacific seminar at Port Moresby and expresses its conviction that its results will be a valuable contribution to the implementation of the objectives of the International Decade for the Eradication of Colonialism; and considers that the Committee should take duly into account the opinions expressed at, and recommendations of, that seminar while defining its future activities. The Special Committee recommends that a seminar should be organized at Headquarters in 1994, which would be attended by representatives of all the Non-Self-Governing Territories irrespective of their location. Consequently, the regional seminars scheduled to be held in the Caribbean and the Pacific in 1994 and 1995, respectively, should be postponed by one year.

7. The Working Group believes that the commemoration of the fiftieth anniversary of the United Nations in 1995 will provide a unique opportunity to carry out a mid-term review of the Plan of Action for the International Decade for the Eradication of Colonialism, considering that decolonization has been one of the most successful activities of the United Nations during the years, and duly taking into account the recommendations and results of the 1994 seminar at Headquarters. It proposes that an item to this end be included in the programme of work of the substantive session of the Special Committee in 1994 and 1995.

In this context, the Working Group recommends that the Special Committee should mandate its Chairman to provide for the necessary coordination with the Chairman of the Preparatory Committee for the Commemoration of the Fiftieth Anniversary of the United Nations on the ways and means through which the Special Committee can participate actively in the festivities and their preparation.

8. The Working Group also considers that an intensification of the dissemination of information on United Nations activities in the field of decolonization should be part of the efforts to revitalize the Committee. The Working Group notes that the peoples of the Territories are not sufficiently informed on United Nations actions relating to their situation. The Working Group recommends that the Department of Public Information of the Secretariat should take the appropriate measures to establish or strengthen the channels of communication - both ways - between the Territories concerned and the United Nations. To this end, it recommends to the Committee that it mandate its Chairman to carry out the necessary coordination with the Chairman of the Committee on Information and with the Department of Public Information.

B. Streamlining and consolidation of resolutions and other documents by the Special Committee

9. The Working Group considers that this item covers in broad terms issues such as consolidation of resolutions; the question of apartheid; the practice of name-calling; the agenda items relating to foreign economic and other interests and to military arrangements and installations in Non-Self-Governing Territories and other Territories under the purview of the Committee; and the language of its resolutions.

1. Consolidation of resolutions

10. The Working Group considers that the consolidated resolution on 10 Territories adopted by the Special Committee and the General Assembly since 1991 was a positive and forward-looking step. In assessing discussions in the Fourth Committee during the forty-seventh session of the General Assembly, the Working Group expressed the view that cooperation by all administering Powers concerned was essential. While considering that during 1993 the Special Committee should maintain the practice of preparing the consolidated resolution on 10 Territories, the Working Group recommends that in the preparation of that consolidated text extensive consultations should be held with the administering Powers concerned and representatives of Non-Self-Governing Territories, where possible. The Working Group considers that the Special Committee should urge all administering Powers concerned to cooperate fully in this regard.

2. The question of apartheid

11. The Working Group considered the issue at length in 1991 and 1992 and agreed that the question of apartheid should be discussed under the relevant resolution of the Special Committee, the language of which should be dictated by prevailing circumstances. The Working Group has examined very closely the new developments and the progress achieved in South Africa regarding the achievement

of a united, democratic and non-racial South Africa. In that connection, it notes that some changes have occurred in South Africa. The Working Group recommends that the Committee should continue to follow closely the situation in that country, with a view to preparing appropriate conclusions and recommendations which take into account prevailing circumstances and are consistent with the Declaration on Apartheid and its Destructive Consequences in Southern Africa. 2/

3. Activities of those foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa

12. In accordance with the recommendations of the Working Group in 1992, the Special Committee modified the title of the item to take into account views that had been expressed both by Member States and Territories. The Working Group recommends that the Special Committee further review in depth the title of the item and its contents on the basis of paragraph 11 above.

13. Substantial changes were made in 1992 regarding the draft decision adopted by the Special Committee on military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 3/ in accordance with views expressed by Member States and with the aim of reducing the level of controversy regarding the issue. The Working Group proposes that the Committee review its recommendations once again with the aim of achieving the broadest support possible among the wider membership of the United Nations.

4. Practice of name-calling

14. The Working Group notes that the Special Committee eliminated the practice of name-calling from its 1992 resolutions and recommends that the Committee should continue to avoid that practice, to the extent possible.

5. Language of the Special Committee's resolutions and other decisions

15. The Working Group notes that although significant progress has been made since 1990 with regard to the language of the resolutions and/or decisions proposed by the Special Committee, it considers that there is room for improvement in that respect. The Special Committee may wish to review the resolutions/decisions concerned so as to make those changes which might be necessary in the texts to be submitted for the consideration of the Committee at its summer session, while upholding the thrust and spirit of General Assembly resolution 46/181 of 19 December 1991 and the Declaration on the Granting of Independence to Colonial Countries and Peoples.

C. Review of the method of work of the Committee, its agenda and list of Territories

16. With regard to the Trust Territory of the Pacific Islands considered by the Special Committee each year, the Working Group, taking into account the intention of the Government of Palau to hold a plebiscite on 27 July 1993 regarding the Compact of Free Association, recommends that the Committee suspend consideration of the Trust Territory of the Pacific Islands until 1994.

17. With reference to Puerto Rico, the Working Group notes that there has been an annual discussion in the Special Committee on the question of Puerto Rico, including a hearing of the organizations interested in the question, and the adoption of a resolution after the hearing. As regards the postponement in 1992 of the discussion and decision on the item, it is recommended that the said postponement be extended until 1994, pending the outcome of consultations being held on this issue among interested parties that could contribute to a procedural solution of the question. It also suggests that requests for hearing be given due consideration by the Special Committee on the basis of its usual practice.

18. Bearing in mind that general approval has been granted by the General Assembly for the Special Committee to continue to be represented at seminars, meetings, consultations and conferences organized by United Nations bodies and other intergovernmental and non-governmental organizations active in the field of decolonization, the Working Group recommends that the practice of consulting members of the Special Committee prior to the acceptance of invitations to such meetings be maintained.

D. Cooperation of the administering Powers

19. The Working Group recognizes that the Special Committee has carried out a commendable task in promoting greater participation of representatives from Non-Self-Governing Territories in its activities, including the approval of the guidelines for the financing of the said participation. It reiterates the importance of ensuring the presence of those representatives in the activities of the Special Committee, in accordance with the views it expressed in its report for 1992, and recommends that the Committee should intensify its activities in this regard, in conformity with the guidelines.

20. Bearing in mind that members of the Special Committee consider the cooperation of all the administering Powers essential to the fulfilment of the Committee's mandate, the Working Group agrees to conduct, in consultation with the administering Powers, an in-depth review of all the issues that continue to constitute an obstacle to the cooperation of the administering Powers and to make the appropriate recommendations to the Committee.

21. On the question of visiting missions, where it considers that a United Nations visiting mission may be necessary and desired by the territorial Government or other appropriate authority, the Special Committee should address a request to the administering Power concerned to consider inviting the United Nations to visit the Territory. If agreement is reached on the dispatch of a

visiting mission, the composition of that mission would be the subject of the usual consultations among the membership of the Committee.

22. The Working Group takes note of the appeal (see the annex to the present report) adopted by the Subcommittee on Small Territories, Petitions, Information and Assistance on the issue of cooperation by the administering Powers and endorses the proposal for its adoption by the Special Committee.

Notes

1/ A/46/634/Rev.1, annex.

2/ General Assembly resolution S-16/1, annex.

3/ Ibid., resolution 1514 (XV).

Annex

Appeal to the administering Powers to participate in the work of the Special Committee

The Special Committee,

Having noted that certain administering Powers still do not attend its meetings and those of its Subcommittee and Working Group,

In order to carry out with objectivity its consideration of the situation in the Non-Self-Governing Territories, reiterates its desire to promote a fruitful dialogue with the administering Powers, in the context of the Charter of the United Nations and the relevant resolutions of the General Assembly, in particular resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960, as well as resolution 43/47 of 22 November 1988 concerning the Declaration of the International Decade for the Eradication of Colonialism,

Urges the delegations of the administering Powers which do not participate in its work or in the work of its Subcommittee and its Working Group to reconsider their position in that regard and to make their due contribution towards the attainment of the noble objectives of the United Nations in the area of decolonization.

Welcomes the presence of representatives of those administering Powers that participate in the meetings of the Special Committee, its Working Group and the Subcommittee on Small Territories, Petitions, Information and Assistance and appreciates their very useful collaboration.